

**Senate File 409 - Introduced**

SENATE FILE 409

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 1138)

**A BILL FOR**

1 An Act restricting the practice of parking and displaying motor  
2 vehicles for sale, hire, or rental on public or private  
3 property and providing for local enforcement.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION. 321.361A Parking motor vehicle for  
2 sale, hire, or rental restricted — local enforcement.

3     1. A person shall not park a motor vehicle on a street or  
4 highway, a public parking lot, or other public property, or on  
5 private property where the public has the right to travel by  
6 motor vehicle, other than the principal place of business of a  
7 motor vehicle dealer as designated under chapter 322, for the  
8 principal purpose and intent of displaying the motor vehicle  
9 for sale, hire, or rental unless the display of the vehicle  
10 for sale, hire, or rental is specifically authorized for that  
11 location by local ordinance or regulation and the person is in  
12 compliance with all applicable municipal or county licensing  
13 requirements.

14     2. Subsection 1 does not prohibit a person from parking  
15 the person's own motor vehicle or other personal property on  
16 any private real property which the person owns or leases,  
17 or on any private real property owned or leased by another  
18 person, with permission of the owner, or on the public  
19 street immediately adjacent to such private real property  
20 in conformance with applicable parking regulations, for the  
21 principal purpose and intent of sale, hire, or rental, unless  
22 such parking is prohibited by local ordinance.

23     3. Subsection 1 does not prohibit a licensed motor vehicle  
24 dealer from displaying motor vehicles at locations other than  
25 the dealer's licensed location as provided in section 322.5.

26     4. A city or county may adopt an ordinance providing for  
27 enforcement of this section. Enforcement provisions may  
28 include but shall not be limited to the following:

29     a. The issuance of citations.

30     b. The assessment of fines.

31     c. The removal of motor vehicles parked in violation of this  
32 section, including removal from private property at the request  
33 of the private property owner, and the storage of such motor  
34 vehicles.

35     d. A process for identifying the owner of a motor vehicle



1 with permission of the owner, including the public street  
2 immediately adjacent to such property, unless prohibited by  
3 local ordinance. Current law applicable to the display of  
4 motor vehicles for sale by a licensed motor vehicle dealer is  
5 not affected by the bill.

6 The bill authorizes enforcement of the new parking  
7 restrictions by cities and counties. Pursuant to a city or  
8 county's ordinance, enforcement provisions may include the  
9 issuance of citations; assessment of fines; removal of vehicles  
10 from public property or from private property at the property  
11 owner's request; storage of impounded vehicles; a process for  
12 identifying a motor vehicle's owner and notifying the owner of  
13 requirements and deadlines for reclaiming an impounded vehicle;  
14 requirements for providing proof of ownership or, if the person  
15 claiming the vehicle is not the owner of record, producing  
16 the certificate of title showing ownership of the vehicle, as  
17 a condition for release of a vehicle; reimbursement by the  
18 owner of a motor vehicle for the towing, storage, and other  
19 costs incurred by the city or county; and a process for sale or  
20 disposal of a motor vehicle and any personal property found in  
21 a vehicle which is not claimed by the owner.

22 The bill provides that the owner of private property, a city  
23 or county, or an agent authorized to act on behalf of a city or  
24 county, shall not be held liable for damage to a motor vehicle  
25 or personal property in the vehicle caused by the removal or  
26 storage of the vehicle authorized under the bill.

27 The bill specifies that the authority of cities and counties  
28 with respect to abandoned vehicles is not affected by the bill.